

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

VERNON REEVES

Plaintiff,

v.

METRO BUS HEADQUARTERS,

Defendant.

Case No. 1:20-cv-579

JUDGE DOUGLAS R. COLE

Magistrate Judge Bowman

ORDER

This cause comes before the Court on the Magistrate Judge's December 9, 2020 Report and Recommendation ((“R&R”), Doc. 8). The Magistrate Judge recommends that the Court **DENY AS MOOT** Plaintiff Vernon Reeves's Motion for Default Judgment (Doc. 6). The Magistrate Judge found that Reeves's Motion was not well taken because there was “no indication that the defendant had been properly served with [Reeves's] Summons and Complaint.” (R&R, Doc. 8, #19¹). The Magistrate Judge also noted that, on November 30, 2020, the Court had ordered Reeves to re-serve the defendant within 30 days. (See Doc. 7). In light of that Order, the Magistrate Judge concluded that Reeve's Motion was moot.

The R&R advised all parties that failure to object within the 14 days specified by the R&R may result in forfeiture of rights on appeal, which includes the right to District Court review. (See R&R, Doc. 8, #20); see also *Thomas v. Arn*, 474 U.S. 140, 152 (1985) (“There is no indication that Congress, in enacting § 636(b)(1)(C), intended

¹ Refers to PageID#.

to require a district judge to review a magistrate's report to which no objections are filed."); *Berkshire v. Beauvais*, 928 F.3d 520, 530 (6th Cir. 2019) (noting "fail[ure] to file an objection to the magistrate judge's R & R ... is forfeiture"); 28 U.S.C. § 636(b)(1)(C).

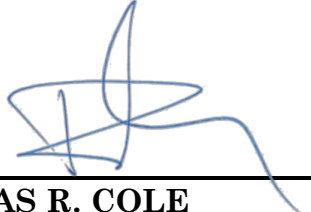
More than a month has now passed, and Reeves has yet to file an objection to the R&R. Nor is there any reason to think that one is forthcoming. The docket indicates that, heeding the Court's November 30 Order, Reeves properly re-served the defendant on December 15. (*See* Docs. 11–12).

Therefore, the Court **ADOPTS** the Report and Recommendation (Doc. 8) and **DENIES AS MOOT** Reeves's Motion for Default Judgment (Doc. 6).

SO ORDERED.

January 15, 2020

DATE



DOUGLAS R. COLE
UNITED STATES DISTRICT JUDGE